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November 23, 2007

Hon. Naomi Reice Buchwald
U.S. Courthouse
40 Foley Square
New York, NY 10007-1581

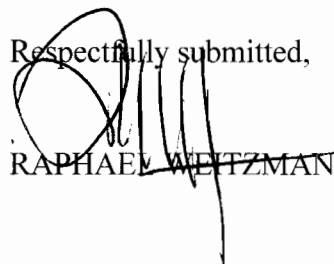
Re: Cohen v. Kuper
Our File No. 07-0006

Honorable Naomi Reice Buchwald

In response to your order dated November 16, 2007, I respectfully request that you reinstate the above captioned action for the following reasons. We requested in a timely manner that an extension be given to serve the Defendant as evident in the attached letter.

Thank you for your courtesy in this matter.

Respectfully submitted,



RAPHAEL WEITZMAN

RW/SAR

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October 30, 2007

Hon. Naomi Reice Buchwald
U.S. Courthouse
40 Foley Square
New York, NY 10007-1581

Re: Cohen v. Kuper
Our File No. 07-0006

Honorable Naomi Reice Buchwald

We received your letter in the above-captioned matter asking us to serve the complaint within the stipulated time frame of the filing of the same. I would like to bring to your notice that the Defendant, Yuri Kuperman has left the country and is now living in Russia. Due to this, we shall take around six months to serve him the Summons and Complaint.

I request you to kindly extend the time to serve the same to six months hence.

Thank you for your courtesy in this matter.

Respectfully submitted,

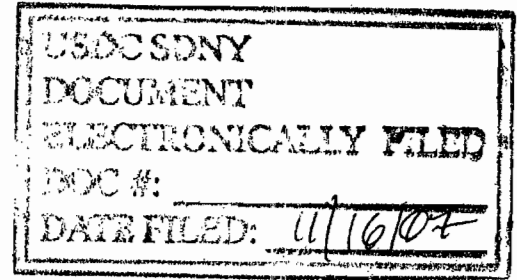

RAPHAEL WEITZMAN

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RW/SAR

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----x
SCOTT COHEN,

Plaintiff,

- against -

YURI KUPERMAN,

Defendant.
-----x

:
:
: **O R D E R**


: 07 Civ. 6365 (NRB)

NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

The complaint in this action having been filed on July 12, 2007, and the Court having informed plaintiff's counsel by letter, dated October 9, 2007 of the obligation pursuant to Rule 4(m) of the Federal Rules of Civil Procedure to serve the summons and complaint within 120 days of filing, and no response to that letter having been received, and there being no evidence of service, it is hereby

ORDERED that the complaint be dismissed without prejudice.

DATED: New York, New York
November 16, 2007


NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE